



Public Health
Environmental Health Services

385 N Arrowhead Ave, San Bernardino, CA 92415 | Phone: 800.442.2283 Fax: 909.387.4323

www.SBCounty.gov
www.SBCounty.gov/dph/dehs

CAL CODE OFFICIAL INSPECTION REPORT

FACILITY NAME ARBY'S		DATE 11/7/2019	REINSPECTION DATE 11/21/2019	PERMIT EXPIRATION 12/31/2019
LOCATION 670 S E ST, SAN BERNARDINO, CA 92408			INSPECTOR John Babalola	
MAILING ADDRESS 670 S E ST, SAN BERNARDINO, CA 92408			IDENTIFIER: None	
			SERVICE: 001 - Inspection - Routine	
			RESULT: 05 - Corrective Action / Follow up Required	
			ACTION: 13 - Permit Suspended / Facility Closed	
TIME IN 2:15 PM	TIME OUT 3:28 PM	FACILITY ID FA0005017	RELATED ID PR0013431	PE 1621

Based on an inspection this day, the items marked below identify the violation(s) in operation or facilities which must be corrected. Failure to correct listed violation(s) prior to the designated compliance date may necessitate an additional inspection to be billed at the hourly rate as provided in the San Bernardino County Code [Schedule of Fees](#).

Administrative Order to Show Cause (OSC): The Permittee has the right to a hearing if requested in writing within 15 calendar days of receipt of this notice, to show cause why the permit to operate should not be suspended or revoked; otherwise the right to a hearing shall be deemed waived.

Reduce food loss, and feed those in need by donating your surplus food. [Learn more about donating surplus food](#).

See the following pages for the code sections and general requirements that correspond to each violation listed below.

○ In = In compliance
+ COS = Corrected on-site

○ N/O = Not observed
⊗ MAJ = Major violation

○ N/A = Not applicable
⊗ OUT = Out of compliance

A

SCORE 90

DEMONSTRATION OF KNOWLEDGE		COS	MAJ	OUT
In	N/O			2
1. Demonstration of knowledge; food safety certification Food Safety Cert Name: Data not collected				
EMPLOYEE HEALTH & HYGIENIC PRACTICES				
In			4	
2. Communicable disease; reporting, restrictions & exclusions				
In	N/O			2
3. No discharge from eyes, nose, and mouth				
In	N/O			2
4. Proper eating, tasting, drinking or tobacco use				
PREVENTING CONTAMINATION BY HANDS				
In	N/O		4	2
5. Hands clean and properly washed; gloves used properly				
In				2
6. Adequate handwashing facilities supplied & accessible				
TIME AND TEMPERATURE RELATIONSHIPS				
In	N/O	N/A	4	2
7. Proper hot and cold holding temperatures				
In	N/O	N/A	4	2
8. Time as a public health control; procedures & records				
In	N/O	N/A	4	2
9. Proper cooling methods				
In	N/O	N/A	4	
10. Proper cooking time & temperatures				
In	N/O	N/A	4	
11. Proper reheating procedures for hot holding				
PROTECTION FROM CONTAMINATION				
In	N/O	N/A		2
12. Returned and reserve of food				
In			4	2
13. Food in good condition, safe and unadulterated				
In	N/O	N/A	4	2
14. Food contact surfaces: clean and sanitized				

FOOD FROM APPROVED SOURCES		COS	MAJ	OUT
In			4	
15. Food obtained from approved source				
In	N/O	N/A		2
16. Compliance with shell stock tags, condition, display				
In	N/O	N/A		2
17. Compliance with Gulf Oyster Regulations				
CONFORMANCE WITH APPROVED PROCEDURES				
In		N/A		2
18. Compliance with variance, specialized process, and HACCP Plan				
CONSUMER ADVISORY				
In	N/O	N/A		2
19. Consumer advisory provided for raw or undercooked foods				
HIGHLY SUSCEPTIBLE POPULATIONS				
In		N/A	4	
20. Licensed health care facilities/public and private schools; prohibited foods not offered				
WATER/HOT WATER				
In			+	⊗
21. Hot and cold water available				
LIQUID WASTE DISPOSAL				
In			4	2
22. Sewage and wastewater properly disposed				
VERMIN				
In			4	2
23. No rodents, insects, birds, or animals				

SUPERVISION	OUT
24. Person in charge present and performs duties	1
PERSONAL CLEANLINESS	
25. Personal cleanliness and hair restraints	1
GENERAL FOOD SAFETY REQUIREMENTS	
26. Approved thawing methods used, frozen food	1
27. Food separated and protected	1
28. Washing fruits and vegetables	1
29. Toxic substances properly identified, stored, used	1
FOOD STORAGE/DISPLAY/SERVICE	
30. Food storage; food storage containers identified	1
31. Consumer self-service	1
32. Food properly labeled & honestly presented	1

EQUIPMENT/UTENSILS/LINENS	OUT
33. Nonfood contact surfaces clean	⊗
34. Warewashing facilities: installed, maintained, used; test strips	1
35. Equipment/utensils approved; installed; clean; good repair, capacity	1
36. Equipment, utensils and linens: storage and use	1
38. Adequate ventilation and lighting; designated areas, use	⊗
39. Thermometers provided and accurate	1
40. Wiping cloths: properly used and stored	1
PHYSICAL FACILITIES	
41. Plumbing: proper backflow devices	1
42. Garbage and refuse properly disposed; facilities maintained	1
43. Toilet facilities: properly constructed, supplied, cleaned	1
44. Premises; personal/cleaning items; vermin-proofing	1

PERMANENT FOOD FACILITIES	OUT
45. Floor, walls, ceilings: built, maintained, and clean	⊗
46. No unapproved private homes/living or sleeping quarters	1
SIGNS REQUIREMENTS	
47. Signs posted; last inspection report available	1
48. Food handler cards	⊗
COMPLIANCE & ENFORCEMENT	
49. Permits Available	
50. Restrooms Required	
51. Plan Review	
52. VC&D	
53. Impoundment	
54. Permit Suspension	



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21. HOT AND COLD WATER AVAILABLE

MAJOR

POINTS

4

Compliance date not specified
Complied on 11/7/2019
Violation Reference - HSC -
113953(c), 114099.2(b)

Inspector Comments: Observed no hot running water at any of the sinks in the facility at the time of inspection. Observed the hot running water temperature at 69 degrees F. The person in charge stated that the water heater broke down since last week Thursday, 10/31/19. Immediately provide hot running water of at least 120 degrees F to the facility.

The permit to operate the facility is hereby suspended and facility ordered closed until hot running of 120 degrees F is provided in the facility. Call (800) 442-2283 for a re-inspection. The facility is to remain closed until there is a written notice to re-open from a representative of our Department. The permittee has the right to a hearing if requested in writing within 15 calendar days of receipt of this notice, to show cause why the permit to operate should not be suspended or revoked.

Violation Description: An adequate, protected, pressurized, potable supply of hot water and cold water shall be provided at all times. (113953(c), 114099.2(b) 114101(a), 114189, 114192, 114192.1, 114195)

33. NONFOOD-CONTACT SURFACES CLEAN

POINTS

1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114115 (c)

Inspector Comments: Observed debris buildup inside the cabinets under the soda drink machine in the self-service area. Maintain clean at all times.

Violation Description: All nonfood contact surfaces of utensils and equipment shall be clean. (114115 (c))

38. ADEQUATE VENTILATION AND LIGHTING; DESIGNATED AREA

POINTS

1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114149, 114149.1

Inspector Comments: Replace the missing filter under the exhaust hood above the fryer.

Observed grease buildup on the filters under the exhaust hood above the oven. Maintain clean at all times.

Violation Description: Exhaust hoods shall be provided to remove toxic gases, heat, grease, vapors and smoke and be approved by the local building department. Canopy-type hoods shall extend 6" beyond all cooking equipment. All areas shall have sufficient ventilation to facilitate proper food storage. Toilet rooms shall be vented to the outside air by a screened openable window, an air shaft, or a light-switch activated exhaust fan, consistent with local building codes. (114149, 114149.1) Adequate lighting shall be provided in all areas to facilitate cleaning and inspection. Light fixtures in areas where open food is stored, served, prepared, and where utensils are washed shall be of shatterproof construction or protected with light shields. (114149.2, 114149.3, 114252, 114252.1)

45. FLOORS, WALLS AND CEILINGS: BUILT, MAINTAINED, AND CLEAN

POINTS

1

Compliance date not specified
Not In Compliance
Violation Reference - HSC -
114143 (d), 114266

Inspector Comments: Observed ice buildup on the door of the walk-in freezer. Defrost and maintain clean.

Replace the damaged rubber gasket to the door of the walk-in freezer.

Observed debris buildup on the floor, especially at corners, in the shake machine area, inside the walk-in freezer, and in the storage area. Maintain the floor clean at all times.

Violation Description: The walls / ceilings shall have durable, smooth, nonabsorbent, and washable surfaces. All floor surfaces, other than the customer service areas, shall be approved, smooth, durable and made of nonabsorbent material that is easily cleanable. Approved base coving shall be provided in all areas, except customer service areas and where food is stored in original unopened containers. Food facilities shall be fully enclosed. All food facilities shall be kept clean and in good repair. (114143 (d), 114257, 114266, 114268, 114268.1, 114271, 114272) Cleaning must be an approved dustless method. (114268.1) Mats and duckboards, if used, must be removable and easily cleanable. (114272) Open-air barbecues or wood-burning ovens floor surfaces must extend a minimum of five feet and be impervious or easily cleanable. (114143(d))



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48. FOOD HANDLER CERTIFICATION

POINTS

3

Compliance date not specified
Not In Compliance
Violation Reference - SBCC -
33.0409

Inspector Comments: Observed (2) two employees without the required San Bernardino County food handler cards. Obtain the food handler cards within 14 days as to avoid a billable re-inspection.

Note: Left a copy of missing food handler card form that must be returned to our office within 14 days.

Violation Description: This facility is currently in violation with the food handler certification requirement for San Bernardino County, which states all food handlers must obtain a valid food handler certificate within fourteen (14) days of employment (33.0410, 33.044). Failure to provide proof of food handler certification within fourteen (14) days will result in unannounced billable (at our current hourly rate) re-inspections to verify compliance.

This facility operator must complete the 'Missing Food Handler' form provided by the inspector and email an electronic copy (scans or photos are ok as long as they are readable) to sbcfoodworker@gmail.com

More Information: http://www.sbcounty.gov/dph/dehs/Depts/EnvironmentalHealth/FIRST/food_worker_training.aspx

IMPORTANT: Risk Based Inspection Frequency

Food facilities that pose a higher risk level for causing foodborne illness will be subject to an additional inspection, to be billed at the hourly rate as provided in the San Bernardino County Code [Schedule of Fees](#). Facilities that received one or more of the following will be elevated to a high risk tier:

- A score letter of "C" or lower on one of the last two graded inspections,
- A score letter of "B" on two of the last three graded inspections,
- Repeated "four (4) point violation Risk Factor" (critical violation codes 1-23) on the last two inspections, or
- Four (4) or more critical violations (codes 1-23) noted during an inspection, or
- A permit suspension (closure) on your last graded inspection.

Overall Inspection Comments

The permit to operate the facility is hereby suspended and facility ordered closed until hot running of 120 degrees F is provided in the facility. Call (800) 442-2283 for a re-inspection. The facility is to remain closed until there is a written notice to re-open from a representative of our Department. The permittee has the right to a hearing if requested in writing within 15 calendar days of receipt of this notice, to show cause why the permit to operate should not be suspended or revoked.

Posted a closure sign.

Signature(s) of Acknowledgement

NAME: Gerardo Lopez
TITLE: Shift Leader